

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

THEODORE THOMAS

§

VS.

§

CIVIL ACTION NO. 9:14cv59

ATTICUS SHELTON, ET AL.

§

ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION


Theodore Thomas, proceeding *pro se*, filed the above-styled civil rights action. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this court.

The defendants have filed a motion to dismiss (doc. no. 6). The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the motion be granted to the extent that plaintiff's prior attempt to serve the defendants is quashed. The magistrate judge further recommends plaintiff be given 30 days to properly serve the defendants.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections were filed.

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. The motion to dismiss is **GRANTED** to the extent that plaintiff's prior attempt to serve the defendants with process is quashed. Plaintiff shall have 30 days from the date set forth below to serve the defendants in accordance with Federal Rule of Civil Procedure 4.

SIGNED this 23rd day of January, 2015.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE